IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 327 OF 2005
IN
SECOND APPEAL NO. 272 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's Orders

Mr. S. D. Dharmadhikari for the Appellants.

Mr. Dhepale for Mr. R. V. More for the Respondent No.1.

CORAM : D.G. DESHPANDE,J.
DATED : 21ST JULY, 2005

P.C.

1. Heard.

2. This application is filed by the appellants for bringing the L.Rs. of deceased Respondent Nos. 2 and 6 on record. So far as respondent No.6 is concerned, her heirs are already on record as Respondent Nos. 5 and 7. So far as respondent No.2 is concerned, his heirs Respondent Nos.2A to 2D were to be served. Appellants have filed affidavit in that regard, as per which they

have been served. Respondent Nos. 3 and 5 did not claim the notice and therefore their envelopes were returned "unclaimed". This is sufficient service. Nobody is present for legal heirs of deceased respondent No.2. Therefore, this application is allowed.

2. Memo of appeal to be suitably amended within three weeks from today. Since, there is no objection and no opposition, abatement set aside. Delay, if any, condoned.

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